

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ANDREW CLARK

vs.

COLDWATER MACHINE
COMPANY, LLC

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C. A. NO. H- 10-2520

MOTION TO ENTER JUDGMENT - AGREED

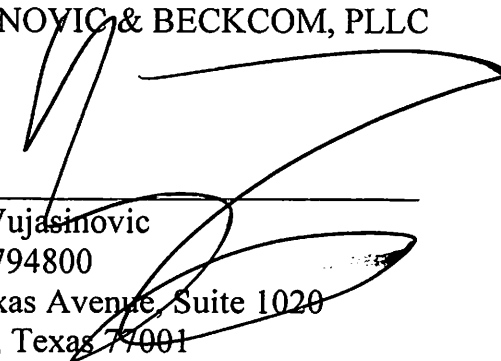
Comes Now, Andrew Clark ("Clark") and Coldwater Machine Company, LLC ("CMC"), and submits this Motion to Enter Judgment, and would show to the court the following:

1. SETTLEMENT. This case was tried during the week of October 31, 2011. The jury returned its verdict on November 3, 2011. The parties have agreed to settle this case. As part of that settlement, the parties agreed to request that the Court set aside the jury verdict, grant a new trial, and enter a take nothing judgment.

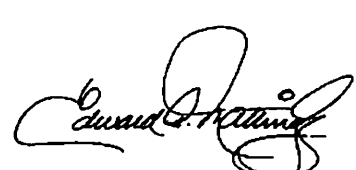
2. TAKE NOTHING JUDGMENT. The parties respectfully request that this Court abide by the parties' agreement and enter a take nothing judgment.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ANDREW CLARK

vs.

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COMPANY, LLC

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JUDGMENT

On the date signed below came on for consideration the parties' Agreed Motion to Enter Judgment. The Court, having considered CMC's motion and the response, if any, filed by the plaintiff, is of the opinion that the motion is meritorious and should be granted. Therefore, it is

ORDERED, ADJUDGED and DECREED that the Plaintiff, Andrew Clark, shall have and recover a judgment that the Plaintiff takes nothing from the Defendant, Coldwater Machine Company, LLC. Further, it was

ORDERED that costs of court incurred are taxed against the party incurring same.

SIGNED on this ____ day of _____, 201__.

Honorable Keith Ellison